

# SENATE RECORD VOTE ANALYSIS

104th Congress  
2nd Session

Vote No. 143

May 22, 1996, 4:31 p.m.  
Page S-5485 Temp. Record

## BUDGET RESOLUTION/Drug Smuggler Prosecution

**SUBJECT:** Senate Concurrent Budget Resolution for fiscal years 1997-2002 . . . S. Con. Res. 57. Dole/Hatch/Helms amendment No. 4019.

### ACTION: AMENDMENT AGREED TO, 100-0

**SYNOPSIS:** As reported, S. Con. Res. 57, the Concurrent Budget Resolution for fiscal years 1997-2002, will balance the Federal budget in fiscal year (FY) 2002 by slowing the overall rate of growth in spending over the next 6 years to below the rate of growth in revenue collections. The rate of growth in entitlements such as Medicare, Medicaid, the Aid to Families with Dependent Children program, and the Earned Income Credit will be slowed. No changes will be made to the Social Security program, the spending for which will grow from \$348 billion in FY 1996 to \$467 billion in FY 2002. Defense spending will be essentially frozen at its present level.

**The Dole/Hatch/Helms amendment** would make numerous findings on illegal drug use, including the following:

- drug use increases juvenile involvement in interstate gangs and violent crime;
- drug use has experienced a dramatic resurgence among our youth;
- the number of youths aged 12 to 17 who use marijuana has increased from 1.6 million in 1992 to 2.9 million in 1994, and the category of "recent marijuana use" has increased a staggering 200 percent over that same period;
- since 1992, the number of high school seniors using drugs on a monthly basis has climbed 52 percent;
- 1 in 3 high school students uses marijuana;
- youths aged 12 to 17 who use marijuana are 85 percent more likely to graduate to cocaine than those who abstain from marijuana;
- juveniles who reach 21 years old without ever having used drugs almost never use them later in life;
- the Drug Abuse Warning Network reports that methamphetamine cases have risen 256 percent over their 1991 level;
- between February 1993 and February 1995 the retail price of a gram of cocaine fell from \$172 to \$137 and the price of a gram of heroin fell from \$2,032 to \$1,278;

(See other side)

YEAS (100)				NAYS (0)		NOT VOTING (0)	
Republican (53 or 100%)		Democrats (47 or 100%)		Republicans (0 or 0%)	Democrats (0 or 0%)	Republicans (0)	Democrats (0)
Abraham	Helms	Akaka	Inouye				
Ashcroft	Hutchison	Baucus	Johnston				
Bennett	Inhofe	Biden	Kennedy				
Bond	Jeffords	Bingaman	Kerrey				
Brown	Kassebaum	Boxer	Kerry				
Burns	Kempthorne	Bradley	Kohl				
Campbell	Kyl	Breaux	Lautenberg				
Chafee	Lott	Bryan	Leahy				
Coats	Lugar	Bumpers	Levin				
Cochran	Mack	Byrd	Lieberman				
Cohen	McCain	Conrad	Mikulski				
Coverdell	McConnell	Daschle	Moseley-Braun				
Craig	Murkowski	Dodd	Moynihan				
D'Amato	Nickles	Dorgan	Murray				
DeWine	Pressler	Exon	Nunn				
Dole	Roth	Feingold	Pell				
Domenici	Santorum	Feinstein	Pryor				
Faircloth	Shelby	Ford	Reid				
Frist	Simpson	Glenn	Robb				
Gorton	Smith	Graham	Rockefeller				
Gramm	Snowe	Harkin	Sarbanes				
Grams	Specter	Heflin	Simon				
Grassley	Stevens	Hollings	Wellstone				
Gregg	Thomas		Wyden				
Hatch	Thompson						
Hatfield	Thurmond						
	Warner						

#### EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

#### SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

- it has been reported that the Department of Justice, through the United States Attorney for the Southern District of California, has adopted a policy of allowing certain foreign drug smugglers to avoid prosecution altogether by being released in Mexico;
- it has been reported that in the past year approximately 2,300 suspected narcotics traffickers were taken into custody for bringing illegal drugs across the border, but approximately one in four were returned to their country of origin without being prosecuted;
- it has been reported that the U.S. Customs Service is operating under guidelines limiting the prosecution in marijuana cases to cases involving 125 pounds of marijuana or more;
- it has been reported that suspects possessing as much as 32 pounds of methamphetamines and 37,000 Quaalude tablets were not prosecuted but instead were allowed to return to their countries of origin;
- it has been reported that after a seizure of 158 pounds of cocaine one defendant was cited and released, and charges were then dropped, because there was no room at the Federal jail for her;
- it has been reported that some drug smugglers who have been caught 2 or more times in the same week have not been prosecuted;
- the number of defendants prosecuted for violations of the Federal drug laws has dropped from 25,033 to 22,926 in 1995;
- the efforts of law enforcement officers deployed against drug smugglers are severely undermined by insufficiently vigorous prosecution policies of Federal prosecutors;
- this Congress has increased funding of the Federal Bureau of Prisons by 11.7 percent over the fiscal year 1995 level; and
- this Congress has increased funding for the Immigration and Naturalization Service by 23.5 percent over the 1995 appropriated level.

Based on these findings, the amendment would express the sense of the Senate that the functional totals underlying this resolution assume the following: the Attorney General should promptly investigate rising drug use and the enforcement of this Nation's drug laws and report to Congress within 30 days; the Attorney General should change the policy of the United States Attorney for the Southern District of California in order to ensure that cases involving the smuggling of drugs into the United States are vigorously prosecuted; and the Attorney General should direct all United States Attorneys vigorously to prosecute persons involved in the importation of illegal drugs into the United States.

**Those favoring** the amendment contended:

We are very concerned about the Clinton Administration's failure to enforce the Nation's drug laws and the corresponding explosion of drug use among the youth of America. After many years of declining drug use, we are starting to lose the battle. A generation is being lost to drugs. This amendment would express the sense of the Senate that the President should report to Congress on drug use and enforcement within 30 days, and that the Justice Department should vigorously prosecute drug offenders. We urge the adoption of the amendment.

**No arguments were expressed in opposition to the amendment.**